

Senate Bill 226

By: Senator Robertson of the 29th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-8-76.1 of the Official Code of Georgia Annotated, relating to use  
2 of safety belts in passenger vehicles, so as to provide that all occupants of a passenger  
3 vehicle, whether in a front seat or back seat, shall be restrained by a seat safety belt; to make  
4 conforming changes; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 40-8-76.1 of the Official Code of Georgia Annotated, relating to use of safety  
9 belts in passenger vehicles, is amended by revising subsections (b) and (e) as follows:

10 "(b) Except as provided for in Code Section 40-8-76 regarding safety restraints for children  
11 under eight years of age, each ~~Each~~ occupant of ~~the front seat of~~ a passenger vehicle shall,  
12 while such passenger vehicle is being operated on a public road, street, or highway of this  
13 state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety  
14 Standard 208."

15 "(e)(1) Except as otherwise provided in paragraphs (2) and (3) of this subsection, a  
16 person failing to comply with the requirements of subsection (b) of this Code section  
17 shall not be guilty of any criminal act and shall not be guilty of violating any ordinance.  
18 A violation of this Code section shall not be a moving traffic violation for purposes of  
19 Code Section 40-5-57.

20 (2) A person failing to comply with the requirements of subsection (b) of this Code  
21 section shall be guilty of the offense of failure to wear a seat safety belt and, upon  
22 conviction thereof, may be fined not more than \$15.00; but, the provisions of Chapter 11  
23 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of  
24 such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to  
25 a fine for such offense be assessed against a person for conviction thereof. The court

imposing such fine shall forward a record of the disposition of the case of failure to wear a seat safety belt to the Department of Driver Services.

~~(3) Each minor eight years of age or older who is an occupant of a passenger vehicle shall, while such passenger vehicle is being operated on a public road, street, or highway of this state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety Standard 208.~~ In any case where a minor passenger eight years of age or older fails to comply with the requirements of this ~~paragraph~~ Code section, the driver of the passenger vehicle shall be guilty of the offense of failure to secure a seat safety belt on a minor and, upon conviction thereof, may be fined not more than \$25.00. The court imposing such a fine shall forward a record of the court disposition of the case of failure to secure a seat safety belt on a minor to the Department of Driver Services."

## **SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.